

June 13, 2011

To: Commissioner Larry Hartig
Alaska Department of Environmental Conservation
P.O. Box 111800
410 Willoughby Ave., Ste. 303, Juneau, AK 99811-1800
Phone: 907-465-5066 Fax: 907-465-5070

Dear Commissioner Hartig:

This letter is being written to: 1) request Government to Government Consultation with the ADEC Leadership and 2) we request that the ADEC becomes a Cooperating Agency in the SEIS process for the proposed Chuitna Coal Mine.

Government to Government Consultation with the ADEC Leadership: NVT – IRA Tribal Council formally requests ongoing quarterly Government to Government meetings with you and appropriate ADEC Leadership to address the Chuitna Coal Mine Proposal, Draft SEIS, and any other issues of concern. We would like these meeting to begin in July of 2011.

RE: Government to Government Consultation with the ADEC leadership:

We request respectful and meaningful State – Tribal relations and would like to initiate this process as soon as possible.

Please do refer to Administrative Order No. 186 which indicates this very important standing order. Relevant aspects of Order No. 186 are pasted below for your reference.

“ADMINISTRATIVE ORDER NO. 186 –
The State of Alaska's Relationship with Tribes

I declare that it is the commitment and policy of the State of Alaska, consistent with the Constitutions of the United States and the State of Alaska, to work on a government-to-government basis with Alaska's sovereign Tribes, which deserve the recognition and respect accorded to other governments. The State of Alaska has a long-standing commitment to local self-government that is rooted in the belief that the best and most effective solutions to local problems are those that are conceived locally.

The State recognizes the value in establishing a comprehensive and mutually respectful State-Tribal relations policy in an effort to promote and enhance Tribal self-government,

economic development, a clean and healthy environment, and social, cultural, spiritual, and racial diversity. The State is committed to working with Tribes to further strengthen Alaska's ability to meet the needs of Alaska's communities and families.

The principles set out in this Order shall be the foundation upon which State government officials, at all levels, will work with Tribal representatives to build a framework for promoting mutually respectful State-Tribal relations, protocol, and policy. “

RE: Cooperating Agency Status: We are clear that the ADEC is responsible to uphold the Clean Water Act and believe that there are multiple issues pertaining to the Draft SEIS and proposed project that warrant your attention, input and expertise. The Native Village of Tyonek – IRA Council formally requests that the ADEC become a Cooperating Agency as soon as possible.

Thank you for your proactive consideration of these important requests. Please respond in writing and send a duplicate copy to our Advisor / Rob Rosenfeld, P.O. Box 13, Homer, Alaska, 99603 (robrosey@gmail.com) / (907)388-2683).

Sincerely:

President Frank Standifer III